

**STATE OF CALIFORNIA  
REGIONAL WATER QUALITY CONTROL BOARD  
CENTRAL COAST REGION**

**SUPPLEMENTAL SHEET #2 FOR REGULAR MEETING OF FEBRUARY 2, 2012**

Prepared on January 31, 2012

**ITEM NUMBER: 21**

**SUBJECT: Revision of Waste Discharge Requirements, Reissuance of National Pollutant Discharge Elimination System Permit No. CA0049981 for the City of Salinas Municipal Storm Water Discharges, Monterey County, Order No. R3-2012-0005**

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This Supplemental Sheet provides supplemental information for the Staff Report for the Central Coast Water Board staff recommendation to adopt the Salinas Municipal Stormwater Permit (Draft Order No. R3-2012-0005). This supplemental information includes:

- A. Changes to Draft Order No. R3-2012-0005 to Address Late Comments by the United States Environmental Protection Agency (USEPA) Regarding the Lower Salinas River Watershed Fecal Coliform Total Maximum Daily Load (TMDL)
- B. Comments Received on January 25, 2012, January 27, 2012, and January 31, 2012
  - 1) Comments from Salinas Valley Builders Exchange received on January 25, 2012.
  - 2) Comments from Senator Anthony Cannella received on January 25, 2012.
  - 3) Comments from David Peartree received on January 27, 2012.
  - 4) Comments from Jeanne Byrne received on January 27, 2012.
  - 5) Comments from American Institute of Architects, Monterey Bay Chapter received on January 27, 2012.
  - 6) Comments from USEPA received on January 31, 2012

**A. Changes to Draft Order No. R3-2012-0005 to Address Late Comments by USEPA Regarding the Lower Salinas River Watershed Fecal Coliform TMDL**

On January 31, 2012, USEPA approved the Lower Salinas River Watershed Fecal Coliform TMDL. As a follow-up to this action, USEPA commented to Central Coast Water Board staff that USEPA finds it necessary for the TMDL wasteload allocation to be included in the Draft Order provisions. The TMDL wasteload allocation was previously discussed in the Draft Order findings. This change does not alter what is required by the Draft Order, since Draft Order provision O.1 already states: "the Permittee shall achieve its assigned wasteload allocation according to the schedule specified in the TMDL." The change makes the Draft Order's TMDL requirements consistent with federal regulations and other Phase I municipal stormwater permits in the State.

This Supplemental Sheet makes the following changes (shown in underline/strikeout format):

1. Section O.1 of the Draft Order is changed to add subsection a):

- a) Lower Salinas River Watershed Fecal Coliform TMDL - The Permittee shall implement BMPs capable of achieving its Lower Salinas River Watershed Fecal Coliform TMDL wasteload allocation by December 20, 2024. The Permittee's Lower Salinas River Watershed Fecal Coliform TMDL wasteload allocation is:

Lower Salinas River Watershed Fecal Coliform TMDL – Wasteload Allocation for the City of Salinas

<u>Waterbody</u>	<u>Receiving Water Fecal Coliform (MPN/100mL)</u>
<u>Gabilan Creek, Santa Rita Creek, Reclamation Ditch, Natividad Creek, and Lower Salinas River</u>	<u>Fecal coliform concentration, based on a minimum of not less than five samples for any 30-day period, shall not exceed a log mean of 200 MPN/100mL, nor shall more than ten percent of total samples during any 30-day period exceed 400 MPN/100mL.</u>

2. The following sentence in Finding 67 is changed to read:

USEPA approved the Lower Salinas River Watershed Fecal Coliform TMDL on January 31, 2012~~December 20, 2011~~.

**B. Comments Received on January 25, 2012, January 27, 2012, and January 31, 2012**

The attachments to this Supplemental Sheet include comments submitted by Salinas Valley Builders Exchange, Senator Anthony Cannella, David Peartree, Jeanne Byrne, the American Institute of Architects, Monterey Bay Chapter, and USEPA. Two of the commenters request providing additional time before adopting Draft Order No. R3-2012-0005. Several of the commenters state the requirements in Draft Order No. R3-2012-0005 will impede new development, infill and redevelopment projects, as well as maintenance of existing properties. The comments also state the Central Coast Water Board should study the costs of implementing Draft Order No. R3-2012-0005. These comments are similar to the comments already submitted and to which staff has responded to in Attachment 2 of the Staff Report. For staff's response to comments on providing additional time, see page 12 of Attachment 2.a of the Staff Report. For staff's response to comments on development, infill, redevelopment, and maintenance, see page 17 of Attachment 2.a of the Staff Report. For staff's response to comments on costs, see page 5 of Attachment 2.a of the Staff Report.

**ATTACHMENTS:**

Attachment 1: Comments from Salinas Valley Builders Exchange received on January 25, 2012.

Attachment 2: Comments from Senator Anthony Cannella received on January 25, 2012.

Attachment 3: Comments from David Peartree received on January 27, 2012.

Attachment 4: Comments from Jeanne Byrne received on January 27, 2012.

Attachment 5: Comments from American Institute of Architects Monterey Bay Chapter received on January 27, 2012.

Attachment 6: Comments from USEPA received on January 31, 2012.